

STATEMENT OF BASIS ADDENDUM

for revised draft Louisiana Pollutant Discharge Elimination System permit No. LA0124273
to discharge to waters of the State of Louisiana.
AI No.: 154986 / Activity No.: PER20080001

THE APPLICANT IS: BakerCorp
3020 Old Ranch Parkway
Suite 220
Seal Beach, CA 90740

FACILITY: BakerCorp (formerly Cormier Shoring)
332 Mills Avenue
Breaux Bridge, St. Martin Parish

ISSUING OFFICE: Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

PREPARED BY: Bonnie Wascom

DATE PREPARED: August 11, 2009

1. PERMIT STATUS

Draft LPDES permit for BakerCorp (formerly Cormier Shoring) was issued on April 14, 2009. The public notice was published in the Office of Environmental Services Public Notice Mailing List on April 27, 2009 and the Teche News on April 29, 2009. The comment period ended on June 1, 2009. Comments to the draft were received from the public.

Reason for Permit Action:

It was determined that the discharge route of the wastewater is different from the route submitted in the original application. In actuality, the flow proceeds to a different subsegment, which has different characteristics that need to be considered in making a permit determination.

3. OUTFALL INFORMATION

Outfall 001

Discharge Route: by pipe to Highway 94 roadside ditch, thence to a parish drainage ditch, thence to Cypriere Perdue Swamp, thence to the Vermilion River

Statement of Basis Addendum for
BakerCorp
LA0124273/ AI 154986
Page 2

4. RECEIVING WATERS

STREAM – Outfall 001 – by pipe to Highway 94 roadside ditch, thence to a parish drainage ditch, thence to Cypriere Perdue Swamp

BASIN AND SEGMENT – Vermilion-Teche River – Subsegment 060805

DESIGNATED USES -

Secondary contact recreation
Propagation of fish and wildlife

9. 303 (d) LISTED WATERBODIES

Subsegment 060805, Breaux Bridge Swamp – Forested wetland in St. Martin Parish, ½ mile southwest of Breaux Bridge, southeast of LA-94, west of Bayou Teche, east of Vermilion River, and north of Evangeline and Ruth Canals; also called Cypriere Perdue Swamp, is not listed on LDEQ's Final 2006 303(d) List as impaired, and to date no TMDL's have been established. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by any future TMDLs.

STATEMENT OF BASIS

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0124273
to discharge to waters of the State of Louisiana.
AI No.: 154986 / Activity No.: PER20080001

THE APPLICANT IS: BakerCorp
3020 Old Ranch Parkway
Suite 220
Seal Beach, CA 90740

Facility
BakerCorp, Breaux Bridge
332 Mills Avenue
Breaux Bridge, St. Martin Parish

ISSUING OFFICE: Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

PREPARED BY: Bonnie Wascom

DATE PREPARED: January 26, 2009

1. PERMIT STATUS

- A. LPDES permit – NA
LPDES permit effective date: NA
LPDES permit expiration date: NA
- B. LWDPS permit – NA
LWDPS permit effective date: NA
LWDPS permit expiration date: NA
- C. Date Application Received: May 19, 2008

2. FACILITY INFORMATION

- A. FACILITY TYPE/ACTIVITY – Equipment Rental Yard

This is an existing shoring equipment rental company. The facility pressure washes aluminum shoring plates to remove dirt after use. The generated wash wastewater is routed through a sludge box before it is discharged to Bayou Teche via the Highway 94 roadside ditch. All sanitary wastewater generated at this facility is now collected and treated by the local city sewage plant.

Statement of Basis for
BakerCorp
LA0124273/ AI 154986
Page 2

B. FEE RATE

1. Fee Rating Facility Type: minor
2. Complexity Type: I
3. Wastewater Type: III
4. SIC code: 7359

C. LOCATION -

332 Mills Avenue
Breaux Bridge, St. Martin Parish
Latitude +30° 16' 40.4", Longitude -91° 54' 57.3"

3. OUTFALL INFORMATION

Outfall 001

Discharge Type: Shoring Equipment Wash Water

Treatment: sludge box

Location: at the point of discharge from the sludge box prior to mixing with other waters

Flow: 960 GPD

Discharge Route: by pipe to Highway 94 roadside ditch, thence to Bayou Teche

4. RECEIVING WATERS

STREAM – Outfall 001 – by pipe to Highway 94 roadside ditch, thence to Bayou Teche

BASIN AND SEGMENT – Vermilion-Teche River – Subsegment 060301

DESIGNATED USES -

- a. Primary contact recreation
- b. Secondary contact recreation
- c. Propagation of fish and wildlife

5. EXISTING EFFLUENT LIMITS

NA; facility not previously permitted

6. PROPOSED EFFLUENT LIMITS

BASIS – See rationale below.

7. COMPLIANCE HISTORY/COMMENTS

A. Compliance History

There was an inspection on **December 4, 2007** that found unpermitted wash water discharge and an unpermitted sanitary discharge. There are no open, appealed, or

Statement of Basis for
BakerCorp
LA0124273/ AI 154986
Page 3

pending OES enforcement actions as of **January 27, 2009**. There is no EPA enforcement history on file as of **January 27, 2009**.

B. DMR Review/Excursions

NA; facility not previously permitted

8. ENDANGERED SPECIES

The receiving waterbodies and proposed discharge are not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U.S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated November 17, 2008 from Rieck (FWS) to Nolan (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat.

9. 303 (d) LISTED WATERBODIES

Subsegment 060301, is not listed on LDEQ's Final 2006 303(d) list as impaired. However, subsegment 060301 was previously listed as impaired for phosphorus, nutrients, organic enrichment/low DO, pathogen indicators, suspended solids/turbidity/siltation, and carbofuran, for which the below TMDL's have been developed. The Department of Environmental Quality reserves the right to impose more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the designated uses of the receiving water bodies based upon additional TMDL's and/or water quality studies. The DEQ also reserves the right to modify or revoke and reissue this permit based upon any changes to established TMDL's for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as necessary to achieve compliance with water quality standards.

As per the February 29, 2000 Delist (Federal Register Notice: Vol. 65, Num. 173, pages 54032-54034, 9/6/2000). Assessment of new data and information shows this segment is meeting water quality standards for Phosphorus. Therefore, requirements for Total Phosphorus will not be placed in this permit.

The following TMDL's have been established for subsegment 060301:

Bayou Teche Oxygen Demand (final February 25, 2000)

Organic enrichment/low DO and nutrients were addressed by the Bayou Teche Watershed TMDL for Dissolved Oxygen Including WLAS for Twenty two Facilities and Addressing Nutrients Subsegments 060205, 060301, 060401, and 060501. This facility was not included

Statement of Basis for
BakerCorp
LA0124273/ AI 154986
Page 4

in the TMDL Models, and a WLA was not developed for this facility. However, the discharge from this facility will be recorded for future TMDL updates. In addition, this facility has no potential to contribute to this impairment. Therefore, requirements for Organic enrichment/low DO and nutrients will not be placed in this permit.

Bayou Teche Fecal Coliform (final April 5, 2001)

As per the Bayou Teche Fecal Coliform TMDL, "there will be no change in the permit requirements based upon a wasteload allocation resulting from this TMDL." Therefore, Fecal Coliform effluent limitations shall be based on similar discharges. In addition, this facility has no potential to discharge Fecal Coliform. Therefore, requirements for Fecal Coliform will not be placed in this permit.

TMDL for TSS, Turbidity, and Siltation for the Bayou Teche Watershed (final May 2, 2002)

As per the TMDL, "Point source loads do not represent a significant source of TSS as defined in this TMDL. Point sources discharge primarily organic TSS, which does not contribute to habitat impairment resulting from sedimentation. Because the point sources are minor contributors, and dischargers of organic suspended solids from point sources are already addressed by LDEQ through their permitting of point sources to maintain water quality standards for DO, the wasteload allocation for point source contributions were set to zero. This TMDL only addresses the landform contribution of TSS/sediment and does not address the insignificant point source contributions." Therefore, with respect to the TMDL, TSS limits are included and are based on similar discharges.

TMDL for the Pesticide Carbofuran in the Mermentau and Vermilion Teche River Basins (final March 21, 2002)

No allocation was given to point source discharges in the Vermilion Teche River Basin. According to the TMDL, there is only one point source in the Vermilion Teche (FMC Corp. LA0064360). In addition, this facility has no potential to discharge Carbofuran. Therefore, requirements for Carbofuran will not be placed in this permit.

10. HISTORIC SITES

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

Statement of Basis for
BakerCorp
LA0124273/ AI 154986
Page 5

11. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in the application.

12. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

Statement of Basis for
BakerCorp
LA0124273/ AI 154986
Page 6

Rationale for BakerCorp

1. Outfall 001 – Shoring Equipment Wash Wastewater

<u>Pollutant</u>	<u>Limitation*</u> Mo. Avg.: Daily Max.	<u>Reference</u>
Flow (GPD)	---: Report	LAC 33:IX.2361.I.1.b
TSS	---: 45 mg/l	Similar discharges (BPJ)
pH	6.0 - 9.0 s.u.	Similar discharges (BPJ)

Treatment: Sludge box

Monitoring Frequency: Once per three months for all pollutants at the point of discharge from the sludge box prior to mixing with other waters.

***Limits Justification:** For all parameters, limits and monitoring frequencies are based on similar discharges.

BPJ Best Professional Judgment
GPD Gallons per Day
s.u. Standard Units

NOTE:

For outfalls containing concentration limits, the usage of concentration limits is based on BPJ for similar outfalls since the flow is variable and estimated.

Pollution Prevention Plan (PPP) Requirement

A PPP is included in the permit since there is a potential for contamination from processes including equipment wash wastewater.

The PPP shall be prepared and maintained within sixty days from the effective date of the final permit. The plan should identify potential sources of pollution and ensure the implementation of practices to prevent and reduce pollutants in discharges associated with industrial activity at the facility (see narrative requirements of the Draft Permit).

Monitoring Frequency

Please be aware that the Department has the authority to reduce monitoring frequencies when a permittee demonstrates two or more consecutive years of permit compliance. Monitoring frequencies established in LPDES permits are based on a number of factors, including but not limited to, the size of the discharge, the type of wastewater being discharged, the specific operations at the facility, past compliance history, similar facilities and best professional judgment of the reviewer. We encourage and invite each permittee to institute positive measures to ensure continued compliance with the LPDES permit, thereby qualifying for reduced monitoring frequencies upon permit reissuance. If the Department can be of any assistance in this area, please do not hesitate to contact us. As a reminder,

Statement of Basis for
BakerCorp
LA0124273/ AI 154986
Page 7

the Department will also consider an increase in monitoring frequency upon permit reissuance when the permittee demonstrates continued non-compliance.